

**FISCAL MEMORANDUM**  
**SB 487 – HB 953**

May 7, 2007

**SUMMARY OF AMENDMENTS (005202, 007741):** Deletes the original bill in its entirety. Creates a new Class E felony offense for engaging in sexual activity with an animal. Amendment 007741 corrects typographical error in HA0362.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$6,600 / Incarceration\*

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

**Unchanged from the original fiscal note.**

Assumptions applied to amendments:

- According to the District Attorneys General Conference, this type of offense is currently prosecuted as animal cruelty. A first offense conviction for cruelty to animals is punished as a Class A misdemeanor. A second offense conviction is punished as a Class E felony.
- One offender per year will serve 0.3 years (109.58 days served) for a Class E felony conviction for knowingly engaging in sexual acts with an animal that previously would have been punished as a Class A misdemeanor. According to the Department of Correction (DOC), the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 0.3 years is \$6,592.33 (\$60.16 x 109.58 days).
- No significant incarceration cost increase will occur due to population growth in this period.

\*Section 9-6-119, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/LSC

**<BillComp>**